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Attorneys for Defendant SANTO C. MAGGIO

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

MARK S. KIRSCHNER, as Trustee of the
Refco Private Actions Trust,

Plaintiff,

vs.

PHILLIP R. BENNETT, SANTO C.
MAGGIO, ROBERT C. TROSTEN,
MAYER BROWN, ROWE & MAW, LLP,
GRANT THORNTON LLP, and ERNST
& YOUNG U.S. LLP,

Defendants.

----- X

Case No.: 07-Civ-8165 (GEL)

ANSWER OF DEFENDANT SANTO C. MAGGIO

Defendant Santo C. Maggio (“Defendant Santo Maggio”), by counsel, submits the following as his Answer to the Plaintiff Marc S. Kirschner’s Complaint (the “Complaint”).

1. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 1 of the Complaint.
2. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 2 of the Complaint.
3. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 3 of the Complaint.
4. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 4 of the Complaint.
5. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 5 of the Complaint.
6. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 6 of the Complaint.
7. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 7 of the Complaint.

8. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 8 of the Complaint.

9. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 9 of the Complaint.

10. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 10 of the Complaint.

11. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 11 of the Complaint.

12. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 12 of the Complaint.

13. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 13 of the Complaint.

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202. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 202 of the Complaint.

203. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 203 of the Complaint.

204. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 204 of the Complaint.

205. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 205 of the Complaint.

206. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 206 of the Complaint.

207. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 207 of the Complaint.

208. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 208 of the Complaint.

209. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 209 of the Complaint.

210. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 210 of the Complaint.

211. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 211 of the Complaint.

212. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 212 of the Complaint.

213. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 213 of the Complaint.

214. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 214 of the Complaint.

215. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 215 of the Complaint.

216. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 216 of the Complaint.

217. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 217 of the Complaint.

218. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 218 of the Complaint.

219. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 219 of the Complaint.

220. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 220 of the Complaint.

221. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 221 of the Complaint.

222. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 222 of the Complaint.

223. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 223 of the Complaint.

224. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 224 of the Complaint.

225. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 225 of the Complaint.

226. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 226 of the Complaint.

227. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 227 of the Complaint.

228. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 228 of the Complaint.

229. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 229 of the Complaint.

230. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 230 of the Complaint.

231. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 231 of the Complaint.

232. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 232 of the Complaint.

233. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 233 of the Complaint.

234. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 234 of the Complaint.

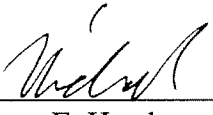
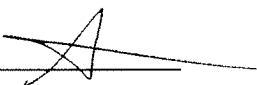
235. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 235 of the Complaint.

236. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 236 of the Complaint.

237. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 237 of the Complaint.

238. Upon advice of counsel, Defendant Santo Maggio asserts his Fifth Amendment privilege against self-incrimination and respectfully refuses to answer the allegations contained in paragraph 238 of the Complaint.

Dated: New York, New York
June 6, 2008

By:  
Scott E. Hershman
Stephen R. Blacklocks
Richard Soto
HUNTON & WILLIAMS LLP
200 Park Avenue
New York, NY 10166-0136
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Attorneys for Defendant Santo C. Maggio

DECLARATION OF SERVICE

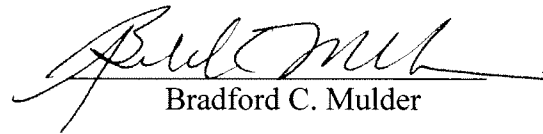
Bradford C. Mulder, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am Managing Clerk at the law firm of Hunton & Williams LLP, attorneys for Defendant Santo C. Maggio.

That on June 6, 2008, I served a true copy of the attached Answer of Defendant Santo C. Maggio on all counsel of record, via the Court's ECF System and via First Class Mail upon those parties and counsel who were not served via the Court's ECF System.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2008.


Bradford C. Mulder